

Application Number 10/756,407  
Response to Office Action Dated November 28, 2006

Attorney Docket No. FS-F03223-01

### REMARKS

Claims 1-4, 6-7, and 10-19 are pending in the application.

#### Response to Claim Rejection under 35 USC §103(a)

Claims 1-4, 6-7 and 10-19 have been rejected under 35 USC §103(a) over the combination of EP 1 168 066 (EP '066), Siga et al (US Patent No. 4,332,889) and Hirabayashi (US 2002/0123016 A1).

This rejection is respectfully traversed.

In the Office action, the Examiner objected to the Declaration as not being compared to the closest prior art of record, identified as EP '066. The Examiner stated that the samples in the Declaration failed to contain a silver saving agent. It is respectfully submitted that the present Declaration compares the present claimed invention to the closest prior art of record, EP '066 since a silver-saving agent is used in the experiments.

As seen in the present declaration, unexpectedly superior results are obtained with a photothermographic material having a high silver iodide content (namely 40 mol% or more AgI) without deteriorating unprocessed stock storability and image storability (improvement in print-out performance) despite the addition of a silver saving agent. In contrast, it should be noted that addition of a silver saving agent would deteriorate unprocessed stock storability and image storability with a photothermographic material having a low silver iodide content.

Siga in its specification refers to excellent storage stability (for example, see abstract). It should be noted that the "storage stability" refers to the stability of an unexposed/undeveloped photothermographic material being stored. This feature is

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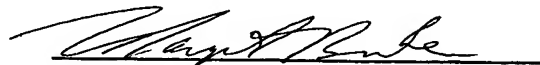
distinct from the image storability, which is stability in storing the images obtained by exposing and thermally developing the photothermographic material.

It is not obvious for one of ordinary skill in the art based on the disclosure of EP' 066 combined with Siga et al and Hirabayashi that a photothermographic material which employs a silver halide emulsion having a high silver iodide content of 40 mol% or more achieves significant improvement effects without deteriorating unprocessed stock storability and image storability (improvement in print-out performance).

Further, as stated in previous responses, there is no motivation to combine the disclosure of Siga with either EP '066 or Hirabayashi. Siga discloses a post-activation type photothermographic material, which is non-photosensitive under normal lighting conditions and must be heated in order to become photosensitive (activated). In contrast, the photothermographic material of the present invention, along with EP '066 and Hirabayashi, does not require pre-heating. A post-activation material is different from photothermographic materials in terms of the image forming mechanism and the components (as set forth in detail in the previous response).

In view of the above remarks, all the claims pending in the application are believed to be allowable. Early and favorable action is respectfully requested.

Respectfully submitted,

  
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